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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/811,779	03/29/2004	Robert M. Haynic	EYD-009.01	9514
25181	7590	08/20/2007	EXAMINER	
FOLEY HOAG, LLP			KANERVO, VIRPI H	
PATENT GROUP, WORLD TRADE CENTER WEST				
155 SEAPORT BLVD			ART UNIT	
BOSTON, MA 02110			PAPER NUMBER	
			3609	
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			08/20/2007	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/811,779

Applicant(s)

HAYNIE ET AL.

Examiner

Virpi H. Kanervo

Art Unit

3609

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

KHOI H. TRAN
SUPERVISORY PATENT EXAMINER

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4, 6-8, 17-24, 26-32, and 34-36 are rejected under 35 U.S.C. § 102(b) as being anticipated by Green (2003/0009418 A1).

As to claims 1, 21, and 29, Green shows one or more databases of verified tax data files, where each verified tax data file: (1) includes verified tax data of a taxpayer (page 2, ¶ 19, where the records are verified since they are accepted by the IRS), and (2) is associated with a taxpayer identifier identifying the taxpayer and one or more requesting party identifiers, the requesting party identifiers identifying respective requesting parties having access rights to the verified tax data file (page 2, ¶¶ 19-21); receiving a request from a first requesting party for verified tax data of a first taxpayer (page 2, ¶ 21); based on the request, querying the one or more databases to determine whether they include one or more

verified tax data files that are associated with a first taxpayer identifier and a first requesting party identifier (page 2, ¶ 21); and providing the verified tax data included in the found one or more verified tax data files to the first requesting party (page 3, ¶ 27 and ¶ 28).

As to claims 2, 22, and 30, Green shows all the elements of claims 1, 21, and 29, and that the verified tax data included in each of the verified tax data files are based on one or more data elements from one or more tax forms filed by a taxpayer with a governmental tax collection entity (page 2, ¶ 21; page 3, ¶ 23).

As to claims 3, 23, and 31, Green shows all the elements of claims 1, 21, and 29, and that the verified tax data included in each of the verified tax data files are based on one or more data elements from one of more verified tax transcripts of the U.S. Internal Revenue Service ("IRS") (page 2, ¶ 21; page 3, ¶ 23).

As to claims 4, 24, and 32, Green shows all the elements of claims 3, 23, and 31, and that the one or more verified tax transcripts of the IRS are obtained based on a requesting party providing one or more of: an IRS form 4506, an IRS form 8821, and another similar IRS form executed by a taxpayer (page 1, ¶ 11; page 3, ¶ 23).

As to claim 6, Green shows all the elements of claim 1, and that for one or more of the verified tax data files, the taxpayer includes one of: an individual taxpayer and a non-personal taxpayer (page 2, ¶ 18; page 3, ¶ 23).

As to claims 7 and 27, Green shows all the elements of claims 1 and 21, and that for one or more of the verified tax data files, the taxpayer includes a joint taxpayer (page 2, ¶ 21).

As to claims 8, 28, and 36, Green shows all the elements of claims 7, 27, and 35, and that the taxpayer identifier identifies one or more of: a first individual taxpayer associated with the joint taxpayer, a second individual taxpayer associated with the joint taxpayer, and the joint taxpayer (page 2, ¶ 21; page 3, ¶ 23).

As to claim 17, Green shows all the elements of claim 1, and that providing one or more databases of verified tax files includes: receiving additional verified tax data files (page 2, ¶ 21), where each of the additional verified tax data files: (1) includes verified tax data of a taxpayer (page 2, ¶ 19), and (2) is associated with a taxpayer identifier identifying the taxpayer and one or more requesting party identifiers, the requesting party identifiers identifying one or more respective requesting parties having access rights to the verified tax data file (page 2, ¶¶ 19-

21); and updating the one or more databases to include the additional verified tax data files (page 3, ¶ 27).

As to claim 18, Green shows all the elements of claim 1, and based on applying one or more computational rules to the verified tax data of the first taxpayer, computing a cash flow of the first taxpayer (page 3, ¶ 27); and providing the cash flow to the first requesting party (page 3, ¶ 28).

As to claim 19, Green shows all the elements of claim 1, and querying the first requesting party to provide financial data associated with one or more incomes and expenses of the first taxpayer, other than incomes and expenses included in verified tax data (page 2, ¶ 21).

As to claim 20, Green shows all the elements of claim 19, and performing one or more of: querying to provide one or more cash flow computation options (page 3, ¶ 22); providing one or more selectable cash flow computation options, wherein the cash flow computation options are related to a computation treatment of one or more of a non-recurring expense and a non-recurring income (page 2, ¶ 21, where daily banking service and credit reports include non-recurring expense and income); and computing the cash flow of the first taxpayer based on applying the one or more computation rules and one or more of the one or more provided cash flow computation options and the one or more selected cash flow

computation options to the verified tax data and the financial data of the first taxpayer (page 4, ¶ 30).

As to claims 26 and 34, Green shows all the elements of claims 21 and 29, and that for one or more of the verified tax data files, the taxpayer includes an individual taxpayer (page 2, ¶ 18; page 3, ¶ 23).

As to claim 35, Green shows all the elements of claim 29, and that for one or more of the verified tax data files, the taxpayer includes a joint taxpayer (page 2, ¶ 21).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section § 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5, 25, and 33 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Green in view of Wilkes (6,853,984 B1).

As to claims 5, 25, and 33, Green shows all the elements of claims 4, 24, and 32. Green does not show that the one or more verified tax transcripts of the IRS are digitized based on one or more of: one or more optical character recognition schemes and one or more manual data entry schemes. Wilkes shows that the one or more financial transcripts are digitized based on optical character recognition scheme (Wilkes: col. 5, lines 65-67; col. 6, lines 1-3). It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified the method of Green by digitizing one or more financial transcripts based on optical character recognition scheme of Wilkes in order to transform the information to an electronic format which is suitable for transmission (Wilkes: col. 3, lines 5-6).

5. Claims 9-16 and 37-40 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Green in view of McKelvey (2005/0044004 A1).

As to claims 9 and 37, Green shows all the elements of claims 1 and 29. Green does not show based on not finding one or more verified tax data files that are associated with the first taxpayer identifier and the first requesting party identifier, returning to querying the one or more databases. McKelvey shows a query to the database (McKelvey: page 3, ¶ 32), and a revision made to the data used in the initial query that results into returning to querying the database (McKelvey: page 3, ¶ 33). It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified the method of Green by making a revision to the data used in the initial query that results into returning to querying the database of McKelvey in order to provide flexibility to the querying the database (McKelvey: page 1, ¶ 4).

As to claims 10 and 38, Green in view of McKelvey shows all the elements of claims 9 and 37, and that returning to querying the one or more databases includes querying the one or more databases based on one or more updates to the one or more databases (Green: page 3, ¶ 30).

As to claims 11 and 39, Green in view of McKelvey shows all the elements of claims 9 and 37, and that returning to querying the one or more databases includes: storing the request from the first requesting party for the verified tax data of the first taxpayer (Green: page 3, ¶ 30); receiving additional verified tax data files (Green: page 3, ¶ 30), where each of the additional verified tax data files: (1) includes verified tax data associated with a taxpayer (Green: page 2, ¶ 19), and (2) is associated with a taxpayer identifier identifying the taxpayer and one or more requesting party identifiers, the requesting party identifiers identifying one or more requesting parties having access rights to the verified tax data file (Green: page 2, ¶¶ 19-21); and determining whether one or more of the additional verified tax data files are associated with the first taxpayer identifier and the first requesting party identifier (Green: page 4, ¶ 30).

As to claims 12 and 40, Green in view of McKelvey shows all the elements of claims 11 and 39, and that determining includes updating the one or more databases to include the additional verified tax data files (Green: page 3, ¶ 27 and ¶ 30).

As to claim 13, Green shows all the elements of claim 1 and performing: storing the request from the first requesting party for the verified tax data of the first taxpayer (Green: page 3, ¶ 30); transmitting a verified tax data request for the

verified tax data to a provider of a verified tax data, the verified tax data including the first taxpayer identifier and an authorization from the first taxpayer authorizing the provider to provide the verified tax data; and based on the verified tax data request (Green: page 2, ¶ 19 and ¶ 21); and receiving the verified tax data from the provider (Green: page 3, ¶ 30). Green does not show that the previous steps are based on not finding one or more data files that are associated with the first taxpayer identifier. McKelvey shows a process where a query is sent to the database (McKelvey: page 3, ¶ 32), a response is sent from a database (McKelvey: page 3, ¶ 32), and the receiver of the response does not select any of the items constituting the response (McKelvey: page 3, ¶ 33). It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified the method of Green by basing the method steps on not finding the desired information in the initial query of McKelvey in order to provide flexibility to the querying the database (McKelvey: page 1, ¶ 4).

As to claim 14, Green in view of McKelvey shows all the elements of claim 1, and that that the verified tax data request includes one or more of: an IRS form 4506, an IRS form 8821, and another similar IRS form executed by the first taxpayer (Green: page 1, ¶ 11; page 3, ¶ 23).

As to claim 15, Green in view of McKelvey shows all the elements of claim 13, and that receiving the verified tax data includes receiving one or more electronic transcripts summarizing the verified tax data (Green: page 1, ¶ 11; page 3, ¶ 27).

As to claim 16, Green in view of McKelvey shows all the elements of claim 15, and based on one or more digitizing schemes, digitizing the one or more electronic transcripts of the verified tax data (Green: page 2, ¶ 21, where electronic tax information is digitized); based on one or more verification schemes, verifying the digitized electronic transcripts to generate verified tax data files (Green: page 2, ¶¶ 18-19; page 3, ¶ 27); associating the verified tax data files with the first taxpayer identifier and the first requesting party identifier (Green: page 2, ¶ 19 and ¶ 21); and updating the one or more databases based on the verified tax data files (Green: page 3, ¶ 27).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Baker (6,473,741 B1) shows a process that arranges information warehoused at individual accounting and tax preparation firms at a central location for the purpose of marketing information.

Brady (2004/0088233 A1) shows a multi-user information processing system and method for determining tax provision information that includes a source database storing data for determining tax provision information.

Goldman (2004/0143543) shows a method for carrying out a real estate settlement using electronic documents, in the absence of paper, where all real estate settlement papers are provided in electronic format for review, signing, transmitting and storing.

Miller (2001/0037268 A1) shows a tax information requestor collecting tax information by connecting electronically to an electronic intermediary and/or to a tax provider.

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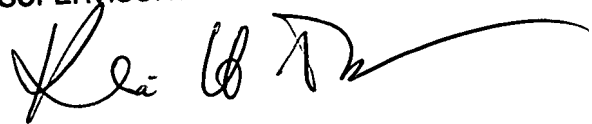
Stern (2002/0091602 A1) shows a system and method providing for a centralized data repository service which collects tax information on behalf of citizenry, indexes the data by a personal identifier, and allows the taxpayer to either recall the data for use on yearly income tax returns or enables the government or a third party to access the data.

Wagner (2003/0233296 A1) shows a system and method for accessing a remote database and automatically preparing forms based on the accessed data provided.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Virpi H. Kanervo whose telephone number is (571) 272-9818. The examiner can normally be reached on Monday-Thursday, 8:00 a.m. – 5:00 p.m., EST.

Virpi H. Kanervo

KHOI H. TRAN
SUPERVISORY PATENT EXAMINER

A handwritten signature in black ink, appearing to read 'Khoi H. Tran', with a long horizontal flourish extending to the right.